APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,811	10/30/2003	Sumit Roy	200313238-1	2434

22879 7590 02/20/2007	EXAMINER
HEWLETT PACKARD COMPANY	JOHNSON, CARLTON

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INTELLECTUAL PROPERTY ADMINISTRATION		
FORT COLLINS, CO 80527-2400	2136	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 October 2003</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-40</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-40</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>30 October 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>2-5-2004/3-3-2005</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responding to application papers filed **10-30-2003**.

2.   Claims **1 - 40** are pending.   Claims **1, 9, 14, 25, 28, 36** are independent.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e)

that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims **1 - 40** are rejected under 35 U.S.C. 102(e) as being anticipated by **Janik**

et al. (US PGPUB No. **20020013852**).

Regarding Claims 1, 15, 28, 36, Janik discloses a method of servicing content for

delivery to a client device, a computer-usable medium having computer-readable

program code embodied therein for causing a computer system to perform a method for

servicing content for delivery to a client device, a computer-usable medium having

computer-readable program code embodied therein for causing a computer system to

perform a method for servicing content for streaming to a client device said method

comprising:

a) identifying a type of service to be performed on an item of content, said item of

content identified in a request from said client device, said request received at a

portal; (see Janik paragraph [0073], lines 19-24; paragraph [0074], lines 1-14:

portal service for user requests; paragraph [0096], lines 3-5; paragraph [0098],

lines 1-4: service (i.e. type, access content) requested; paragraph [0071], lines 3-

8; paragraph [0072], lines 1-6: software, computer product; paragraph [0103],

lines 1-2)

b) identifying a provider of said type of service; (see Janik paragraph [0084], lines

12-17: identify server (i.e. provider) for flow of information (i.e. data flow,

content); paragraph [0071], lines 3-8; paragraph [0072], lines 1-6: software,

computer product) and

c) providing information for establishing communication between said client device

and said provider, wherein communication with said client device is redirected

from said portal to said provider. (see Janik paragraph [0074], lines 5-11: portal

system; paragraph [0085], lines 5-13; paragraph [0084], lines 12-17: provide

information to establish communication between server and client (i.e. data flow

between clients and content server; paragraph [0071], lines 3-8; paragraph

[0072], lines 1-6: software, computer product; paragraph [0103], lines 1-2;

paragraph [0160], lines 1-7: streamed delivery of content)

Regarding Claims 2, 10, 29, 37, Janik discloses the method, computer-usable medium

of claims 1, 9, 28, 36 further comprising: sending said information to said client device,

wherein said client device and said provider transparently establish communication.

(see Janik paragraph [0084], lines 12-17; paragraph [0074], lines 11-14: system control

application controls (i.e. establishment, transparently) flow of information between

server and client; paragraph [0071], lines 3-8; paragraph [0072], lines 1-6: software,

computer product; paragraph [0103], lines 1-2; paragraph [0160], lines 1-7: streamed

delivery of content)

Regarding Claims 3, 19, 30, Janik discloses the method, computer-usable medium of

claims 1, 14, 28 further comprising: identifying a source of said item of content, wherein

data for said item of content is streamed to said provider from said source and wherein

service result data is streamed from said provider to said client device. (see Janik

paragraph [0103], lines 1-2; paragraph [0160], lines 1-7: streamed delivery of content

from server (i.e. provider) to client; paragraph [0071], lines 3-8; paragraph [0072], lines

1-6: software, computer product; paragraph [0082], lines 16-18: content source;

paragraph [84], lines 15-17: storage gateway, content provider to client)

Regarding Claims 4, 20, 31, Janik discloses the method, computer-usable medium of

claims 1, 14, 28, wherein said type of service is identified according to information

provided in said request from said client device. (see Janik paragraph [0120], lines 1-3:

request processing; paragraph [0108], lines 4-13; paragraph [0109], lines 1-4:

determination types of services required to process content request; paragraph [0071],

lines 3-8; paragraph [0072], lines 1-6: software, computer product)

Regarding Claims 5, 17, 32, Janik discloses the method, system, computer-usable medium of claims 1, 14, 28 wherein a source of said item of content is identified according to information provided in said request from said client device. (see Janik paragraph [0074], lines 5-11: portal system; paragraph [0120], lines 1-13: request provide information concerning content; paragraph [0085], lines 5-13; paragraph [0084], lines 12-17: provide information to establish communication between server and client (i.e. data flow between clients and content server))

Regarding Claims 6, 11, 22, 33, 38, Janik discloses the method, system, computer-usable medium of claims 1, 9, 14, 28, 36 wherein said service is continuously executed by said provider. (see Janik paragraph [0103], lines 1-2; paragraph [0160], lines 1-7: streamed delivery, continuous execution of content; paragraph [0071], lines 3-8; paragraph [0072], lines 1-6: software, computer product)

Regarding Claims 7, 12, 34, 39, Janik discloses the method, computer-usable medium of claims 1, 9, 28, 36 wherein startup of said service occurs in response to said client device establishing communication with said provider. (see Janik paragraph [0096], lines 3-5; paragraph [0120], lines 1-13: client request, request processing, service in response to request; paragraph [0071], lines 3-8; paragraph [0072], lines 1-6: software, computer product; paragraph [0103], lines 1-2; paragraph [0160], lines 1-7: streamed

delivery of content)

Regarding Claims 8, 13, 35, 40, Janik discloses the method, system, computer-usable

medium of claims 1, 9, 28, 36 further comprising: causing startup of said service

subsequent to identifying said provider and before said client device establishes

communication with said provider. (see Janik paragraph [0159], lines 15-25: service

setup; paragraph [0160], lines 1-7: communications setup between client and server;

paragraph [0071], lines 3-8; paragraph [0072], lines 1-6: software, computer product;

paragraph [0103], lines 1-2; paragraph [0160], lines 1-7: streamed delivery of content)

Regarding Claim 9, Janik discloses a method of servicing content for streaming to a

client device, said method comprising:

a) identifying a type of service to be performed on an item of content, said item of

   content identified in a request from said client device, said request received at a

   portal; (see Janik paragraph [0073], lines 19-24; paragraph [0074], lines 1-14:

   portal service for user requests; paragraph [0096], lines 3-5; paragraph [0098],

   lines 1-4: service (i.e. access content) requested)

b) identifying a provider of said type of service; (see Janik paragraph [0084], lines

   12-17: identify server for flow of information (i.e. data flow))

c) providing information for establishing communication between said client device

   and said provider, wherein communication with said client device is redirected

   from said portal to said provider, wherein data for said item of content is

streamed to said provider from a source of said item of content (see Janik

paragraph [0074], lines 5-11: portal system; paragraph [0085], lines 5-13;

paragraph [0084], lines 12-17: provide information to establish communication

between server and client (i.e. data flow between clients and content server) and

d) wherein service result data is streamed from said provider to said client device.

(see Janik paragraph [0103], lines 1-2; paragraph [0160], lines 1-7: streamed

delivery of content)

Regarding Claim 14, Janik discloses a system for providing content to a client device,

said system comprising: a service manager for receiving a request for an item of

content from a portal (see Janik paragraph [0073], lines 19-24; paragraph [0074], lines

1-14: portal service for user requests), wherein said portal received said request from

said client device, said service manager also for selecting a provider of a type of service

to be performed on said item of content (see Janik paragraph [0084], lines 1-4: system

control application (i.e. system manager), server (i.e. provider) selected), wherein

communication with said client device is redirected from said portal to said provider

such that communication with said client device continues via said provider, said

provider for performing said service on said item of content and for forwarding service

result content (see Janik paragraph [0109], lines 1-4: content processed and forwarded

to client) to said client device. (see Janik paragraph [0085], lines 5-13; paragraph

[0084], lines 12-17: provide information to establish communication between server (i.e.

provider) and client (i.e. data flow between client and content server)

Regarding Claim 16, Janik discloses the system of claim 14 wherein said service

manager sends information identifying said provider directly to said client device,

bypassing said portal. (see Janik paragraph [0074], lines 9-11: source, designated URL,

IP address displayed for client at GUI)

Regarding Claims 18, 21, Janik discloses the system of claim 14 wherein a source of

said item of content and type of service is identified by one of said portal, said service

manager and said provider. (see Janik paragraph [0084], lines 1-4: system control

application (i.e. system manager); paragraph [0084], lines 12-17: service identified,

source identified for delivery to client)

Regarding Claim 23, Janik discloses the system of claim 14 wherein said service is

started up and executed in response to said client device establishing communication

with said provider. (see Janik paragraph [0159], lines 15-25: service setup; paragraph

[0160], lines 1-7: communications between client and server (i.e. provider) established)

Regarding Claim 24, Janik discloses the system of claim 14 wherein said service

manager directs said provider to start up said service upon selection of said provider.

(see Janik paragraph [0084], lines 1-4: system control application (i.e. system

manager); paragraph [0084], lines 12-17: provider selected, setup for service (i.e.

content access))

Regarding Claim 25, Janik discloses a system for streaming content to a client device,

said system comprising: a service manager for receiving a request for an item of

content from a portal (see Janik paragraph [0073], lines 19-24; paragraph [0074], lines

1-14: portal service for user requests), wherein said portal received said request from

said client device, said service manager also for selecting a provider of a type of service

to be performed on said item of content, wherein communication with said client device

is redirected from said portal to said provider such that communication with said client

device continues via said provider, wherein said item of content is streamed from a

content source to said provider, said provider for performing said service on said item of

content and for streaming service result content to said client device. (see Janik

paragraph [0085], lines 5-13; paragraph [0084], lines 12-17: provide information to

establish communication between server and client (i.e. data flow between clients and

content server; paragraph [0103], lines 1-2; paragraph [0160], lines 1-7: streamed

delivery of content)

Regarding Claim 26, Janik discloses the system of claim 25 wherein said service

manager sends information identifying said provider to said client device via said portal.

(see Janik (see Janik paragraph [0073], lines 19-24; paragraph [0074], lines 1-14: portal

service for user requests, content information (URL, IP address) at portal interface)

Regarding Claim 27, Janik discloses the system of claim 25 wherein said service

manager sends information identifying said provider directly to said client device,

bypassing said portal. (see Janik paragraph [0192], lines 1-8: automated content

download, server (i.e. provider) accessed directly by client for content delivery)

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Carlton V. Johnson whose telephone number is 571-

270-1032. The examiner can normally be reached on Monday thru Friday , 8:00 -

5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CVJ
February 12, 2007

Carlton V. Johnson
Examiner
Art Unit 2136

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2/15/07